

SCORING CRITERIA - WASTEWATER

These are the definitions for each of the five point levels used in the scoring of TSEP applications on statutory priority #1 (Projects that solve urgent and serious public health or safety problems, or that enable local governments to meet state or federal health or safety standards), and CDBG applications on priority #2 (Need for project). The definitions and associated examples are subject to modification during the scoring process. In addition, there are numerous variables involved in scoring projects; as a result, the point level assigned may be higher or lower in order to take into account these variables.

General Scoring Notes

The score level may be adjusted downward commensurate with the scoring level definitions, depending upon the degree to which:

1. the deficiency is existing, long-term or continual;
2. the problems related to the deficiency affect the entire or substantial portion of the community, or have a high potential to affect the entire or substantial portion of the community;
3. there are reasonable, cost-effective, reliable and long-term management practices that would reduce the health and safety risks and no other reasonable alternatives, temporary or otherwise are available; and
4. the deficiencies and the impact on the public's health and safety has been documented.

A court order (or other directive) does not guarantee a particular score. The seriousness of the deficiencies and their impact on the public's health and safety will determine the score awarded.

If there are serious concerns whether the proposed project would solve the public health or safety problems, a level "2" score may be awarded, since the deficiencies identified may not be adequately resolved or other serious problems may potentially be created.

If the most serious deficiencies represent only a small component of the overall project, the project as a whole may be scored lower than what would normally be indicated for the more serious deficiencies. At the Department's discretion, multiple deficiencies may be weighted, based on cost, to determine the scoring level. For instance, if a very small percentage of the project cost goes toward solving a level 5 deficiency and a significantly larger percentage of the project cost is for solving a level 3 deficiency, then the project would probably be scored at a level 3 or 4.

LEVEL 5 (Serious consequences have occurred or are imminent)

Definition - Serious consequences (such as illness, disease, injury, and environmental pollution) clearly attributable to the deficiency in the wastewater facilities described in the application have occurred or are imminent. The applicant has clearly documented the deficiency and impact on the public's health and safety.

Explanation - Level 5 scores would only be given if the applicant has clearly documented that an illness, disease, injury, or environmental pollution has occurred, or is imminent, as a result of

the deficiency in the wastewater facilities. To be rated a "5" the situation must be of an immediate nature.

Examples:

- ❑ Failure of a lagoon dike has occurred or there is adequate documentation that failure is imminent with continued use and that the lowering of the lagoon level will not impact the severity of the deficiency.
- ❑ Failure of a major treatment plant element or process has occurred, or is imminent, and the result is that direct exposure of untreated or inadequately treated wastewater has occurred or will occur and has a high potential to affect a large portion of the population directly or through vectors. The failure must have a high potential to result in a significant threat to the health and safety of the public. There are no backup systems.
- ❑ Acute contamination of a public drinking water supply by a centralized wastewater system has occurred or is imminent, and the contaminant has a high potential to cause immediate illness or disease.
- ❑ A community has inadequately treated wastewater and no alternate means for treatment or discharge and the consequences result in a significant threat to the health and safety of the public. For example, a community that relies on land application for disposal, but can no longer use the land application site thus forcing the community to discharge the wastewater into an area where human contact is likely.
- ❑ A community lacks a centralized wastewater system and is currently, or has a high potential of, acutely contaminating water supply sources for the community. The documented contamination must have a high potential to cause immediate illness or disease. There are no appropriate locations for replacement drainfields.
- ❑ Cases of severe and frequent back-ups of wastewater into numerous basements have been documented that would likely impact the public's health and safety, due to inadequate facilities rather than isolated incidents that are unique, infrequent, or catastrophic events.

LEVEL 4 (Serious consequences are likely to occur in near term)

Definition - Serious consequences (such as illness, disease, injury, and environmental pollution) clearly attributable to the deficiency in the wastewater facilities described in the application are likely to occur in the near term. The applicant has adequately documented the deficiency and potential impact on the public's health and safety.

Explanation - Level 4 scores would be given for serious deficiencies where illness, disease, injury, or environmental pollution has a high probability of occurrence in the near term, but has not been documented to have occurred yet. Level 4 scores would also be reserved for serious wastewater deficiencies when there is a high probability of significantly serious consequences after chronic exposure (exposure over many years).

Examples:

- ❑ A community that routinely discharges undisinfected wastewater or inadequately treated wastewater or sludge in a location where opportunities for contact with people is likely to occur.
- ❑ Failure of a major treatment plant element or process has a high probability of occurring in the near term and the result is that direct exposure of untreated or inadequately treated wastewater has a high potential to affect a large portion of the population directly or through vectors. The failure must have a high potential to result in a significant threat to the health and safety of the public.
- ❑ A community with documented elevated levels of nitrate above background levels (or other contaminant with potentially acute consequences) in their groundwater supply resulting from a leaking wastewater lagoon. A community whose drinking water supply has the potential of being contaminated in the short term due to inadequate wastewater facilities (such as grossly leaking lagoon or on-site wastewater disposal systems that could significantly impact the groundwater or nearby surface water body), but contamination has not yet occurred. The contaminant must have the potential to cause immediate illness, disease, or significant environmental pollution.
- ❑ Frequent back-ups of wastewater into numerous basements have been documented that would likely impact the public's health and safety, due to inadequate facilities, rather than isolated incidents, that are unique, infrequent, or catastrophic events.
- ❑ Lift stations that are likely to fail in the near-term and affect the public's health and safety. Past failures have resulted in several sewer back-ups. Failures must be due to inadequate facilities rather than catastrophic events.
- ❑ A community that lacks a centralized wastewater system and is currently contaminating groundwater or surface water that is not used for a public water supply source; there are no appropriate locations for replacement drainfields; and the contaminated groundwater has been documented.

LEVEL 3 (Serious consequences are likely to occur in long term)

Definition - Serious consequences (such as illness, disease, injury, and environmental pollution) attributable to the deficiency in the wastewater facilities described in the application are likely to occur in the long-term if the deficiency is not corrected. The applicant has adequately documented the deficiency and potential impact on the public's health and safety.

Explanation - Level 3 scores would be given for serious wastewater deficiencies where illness, disease, injury, or environmental pollution has a high probability of occurrence after chronic exposure, but where the consequences are not as serious as those associated with a Level 4. Level 3 scores would also be reserved for deficiencies where illness, disease, injury, or environmental pollution has some reasonable probability of occurrence in the near term as a result of incidental, short-term or casual contact, but has not been documented to have occurred yet. Communities attempting to proactively comply with laws and regulations dealing with health and safety may also be scored Level 3, or higher.

Examples:

- ❑ A community has experienced effluent discharge violations resulting in a State or Federal directive (such as a compliance order) or it is documented that such directives are probable if corrective actions are not taken.
- ❑ A community directly discharges to a water body and experiences periodic (several times per year) discharge violations and/or inadequate treatment. There exists some opportunity for the public to come in contact with inadequately treated or inadequately disinfected wastewater.
- ❑ Infrequent back-ups of wastewater into a small number of basements, due to inadequate facilities rather than isolated incidents that are unique, infrequent, or catastrophic events.
- ❑ A community that is making proactive improvements to the infrastructure of a public wastewater system that helps it remain in compliance with current regulatory requirements, ensures compliance with future requirements, or prevents future violations of any applicable state or federal law or regulation. A higher score for proactive improvements could be realized if the improvements address imminent or near term health and safety issues.
- ❑ A community that routinely discharges undisinfected wastewater or inadequately treated wastewater or sludge in a location where opportunities for contact with people is not likely to occur and the public health or safety threat is not significant.
- ❑ A leaking lagoon that could impact the groundwater, but would not likely impact the public's health and safety.
- ❑ A community lacks a centralized wastewater system. The community has a reasonable potential to contaminate groundwater or surface water but it is not used for a public or a private water supply source. There are limited locations for replacement drainfields.
- ❑ A community that has a safety issue in the treatment plant or at a pumping station that has a reasonable probability of causing injury to the operator in the long term.
- ❑ A community's collection system is deteriorated and in need of replacement and there is a reasonable probability of occurrence of back-ups into homes and businesses in the long term.
- ❑ Lift stations that have outlived their useful life and could potentially fail in the long term and affect the public's health and safety.
- ❑ Excessive infiltration/inflow in the collection system that could significantly and adversely affect the wastewater treatment processes.

LEVEL 2 (Serious consequences may occur at some point in the future)

Definition - The deficiency described in the application could potentially affect the public's health and safety and circumstances clearly attributable to the deficiency may occur at some point in the future but have not been documented to have occurred yet.

Explanation - Level 2 scores would be given for those applications that have a deficiency, perhaps in meeting current design standards, but are unable to show that a serious threat to public health and safety is likely to occur.

Example:

- ❑ A community's wastewater treatment lagoon is occasionally unable to meet the requirements of its discharge permit, and the cause of the violations is not attributable to a lack of maintenance.
- ❑ A community has documented excessive infiltration and/or inflow within its collection system, but has not documented any back-ups, exfiltration to groundwater, or negative effects on treatment plant performance.
- ❑ A community has sewer mains of inadequate slope or size by current design standards, but that provide adequate service with routine maintenance activities.

LEVEL 1

Definition - A deficiency in a basic wastewater facility or community service that could affect the public's health and safety was not demonstrated or was inadequately documented.

Explanation - Level 1 scores would be given for those applications that may claim a deficiency, but in the opinion of the MDOC review team are unable to document a serious or credible threat to public health and safety. The claimed deficiency may be related to routine operations and maintenance issues. Level 1 scores are rare; nearly all projects should be able to achieve a level 2 score.

Examples:

- ❑ An inadequate access road to a wastewater treatment facility requires that chemicals be delivered in 55-gallon drums instead of bulk shipments.